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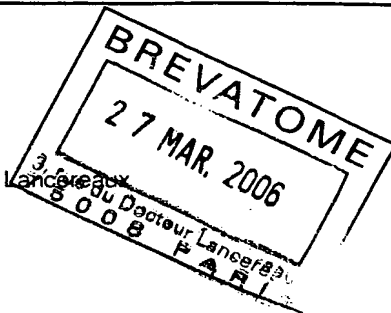
PCT

NOTIFICATION DE TRANSMISSION DE COPIES
DE LA TRADUCTION DU RAPPORT D'EXAMEN
PRELIMINAIRE INTERNATIONAL
SUR LA BREVETABILITE (CHAPITRE I OU CHAPITRE II
DU TRAITE DE COOPERATION EN MATIERE DE BREVETS)

(règles 44bis.3.c) et 72.2 du PCT)

Destinataire :

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FRANCE



Date d'expédition (jour/mois/année) 09 mars 2006 (09.03.2006)	
Référence du dossier du déposant ou du mandataire B 14628 PR	NOTIFICATION IMPORTANTE
Demande internationale n° PCT/FR2004/050137	Date du dépôt international (jour/mois/année) 01 avril 2004 (01.04.2004)
Déposant AREVA T & D SA etc	

1. Transmission de la traduction au déposant.

Le Bureau international transmet ci-joint copie de la traduction en langue anglaise du rapport préliminaire international sur la brevetabilité (chapitre I).



Le Bureau international transmet ci-joint copie de la traduction en langue anglaise du rapport préliminaire international sur la brevetabilité (chapitre II).

2. Transmission d'une copie de la traduction aux offices désignés ou élus.

Le Bureau international notifie au déposant qu'une copie de cette traduction a été transmise aux offices désignés ou élus suivants qui exigent la traduction en question:

Aucun

Les offices désignés ou élus suivants ayant renoncé à l'exigence selon laquelle la transmission doit être effectuée à cette date recevront une copie de cette traduction du Bureau international seulement à leur demande:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Rappel concernant la traduction dans la ou l'une des langues officielles de l'office ou des offices élus.

Il est rappelé au déposant que, lorsqu'une traduction de la demande internationale doit être remise à un office élu, cette traduction doit comporter la traduction de toute annexe du rapport préliminaire international sur la brevetabilité (chapitre II).

Il appartient au déposant d'établir la traduction en question et de la remettre directement à chaque office élu intéressé dans le délai applicable (règle 74.1). Voir le volume II du *Guide du déposant du PCT* pour de plus amples renseignements.

Bureau international de l'OMPI 34, chemin des Colombettes 1211 Genève 20, Suisse	Fonctionnaire autorisé Beate Giffo-Schmitt
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TRAITÉ DE COOPÉRATION EN MATIÈRE DE BREVETS

PCT

RAPPORT PRÉLIMINAIRE INTERNATIONAL SUR LA BREVETABILITÉ (chapitre I du Traité de coopération en matière de brevets)

(règle 44bis du PCT)

Référence du dossier du déposant ou du mandataire B 14628 PR	POUR SUITE À DONNER		Voir le point 4 ci-dessous
Demande internationale no. PCT/FR2004/050137	Date du dépôt international (<i>jour/mois/année</i>) 01 Avril 2004 (01.04.2004)	Date de priorité (<i>jour/mois/année</i>) 02 Avril 2003 (02.04.2003)	
Classification internationale des brevets (8 ^e édition, sauf indication d'une #dition ant#rieure) Voir les informations pertinentes dans le formulaire PCT/ISA/237			
Déposant AREVA T & D SA			

1.	Le présent rapport préliminaire international sur la brevetabilité (chapitre I) est établi par le Bureau international au nom de l'administration chargée de la recherche internationale selon la règle 44bis.1.a).																								
2.	Ce RAPPORT comprend un total de 8 feuilles, y compris la présente feuille de couverture. Dans les feuilles jointes, toute référence à l'opinion écrite de l'administration chargée de la recherche internationale doit être entendue, à la place, comme une référence au rapport préliminaire international sur la brevetabilité (chapitre I).																								
3.	<p>Le présent rapport contient des indications relatives aux points suivants :</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Cadre n° I</td> <td style="width: 60%;">Base de l'opinion</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Cadre n° II</td> <td>Priorité</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Cadre n° III</td> <td>Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Cadre n° IV</td> <td>Absence d'unité de l'invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Cadre n° V</td> <td>Déclaration motivée selon l'article 35.2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Cadre n° VI</td> <td>Certains documents cités</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Cadre n° VII</td> <td>Certaines irrégularités relevées dans la demande internationale</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Cadre n° VIII</td> <td>Certaines observations relatives à la demande internationale</td> </tr> </table>	<input checked="" type="checkbox"/>	Cadre n° I	Base de l'opinion	<input checked="" type="checkbox"/>	Cadre n° II	Priorité	<input type="checkbox"/>	Cadre n° III	Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle	<input type="checkbox"/>	Cadre n° IV	Absence d'unité de l'invention	<input checked="" type="checkbox"/>	Cadre n° V	Déclaration motivée selon l'article 35.2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration	<input type="checkbox"/>	Cadre n° VI	Certains documents cités	<input type="checkbox"/>	Cadre n° VII	Certaines irrégularités relevées dans la demande internationale	<input type="checkbox"/>	Cadre n° VIII	Certaines observations relatives à la demande internationale
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<input checked="" type="checkbox"/>	Cadre n° V	Déclaration motivée selon l'article 35.2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration																							
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<input type="checkbox"/>	Cadre n° VII	Certaines irrégularités relevées dans la demande internationale																							
<input type="checkbox"/>	Cadre n° VIII	Certaines observations relatives à la demande internationale																							
4.	Le Bureau international communiquera le présent rapport aux offices désignés conformément aux règles 44bis.3.c) et 93bis.1 mais pas avant l'expiration du délai de 30 mois à compter de la date de priorité (règle 44bis.2), sauf si le déposant a présenté une requête expresse à cet égard en vertu de l'article 23.2).																								

Bureau international de l'OMPI 34, chemin des Colombettes 1211 Geneva 20, Switzerland no de télécopieur +41 22 740 14 35	Date d'établissement du présent rapport 02 March 2006 (02.03.2006) Fonctionnaire autorisé <div style="text-align: center; font-weight: bold;">Beate Giffo-Schmitt</div> no de téléphone : +41 22 338 87 20
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

Translation

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

B 14628 PR

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/FR2004/050137

International filing date (day/month/year)

01.04.2004

Priority date (day/month/year)

02.04.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

AREVA T & D SA

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input checked="" type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/050137

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

, which is the language of a translation furnished for the purposes of international search (under

Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

Description, pages:

1-9 initial version

Claims, No.:

1-5 initial version

Drawings, sheets

1/3-3/3 initial version

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/050137

Box No. II

Priority

1. ☒ The following document has not yet been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date in the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/050137

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	2, 3	YES
	Claims	1, 4, 5	NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations:

1. Reference is made to the following document:

D1: US-B-6 392 390 (HIDAKA MIKIO ET AL) 21 May
2002 (2002-05-21)

2. The present application does not satisfy the conditions stipulated in PCT Article 33(1), the subject matter of claim 1 not involving an inventive step as defined by PCT Article 33(3).

Document D1, which is considered as the closest prior art to the subject matter of claim 1, describes (the references between parentheses apply to that document):

A method for determining the moment of closure of a circuit breaker in an electric network (see the description), said network comprising:

- a high-voltage supply;
- a three-phase transport line (10);
- a circuit breaker comprising at least three pairs of contacts (1), each pair

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/050137

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

being associated with one of the three phases of said line and allowing any current flowing between said supply and said line to be interrupted by separating said two contacts, the first contact being on the same side as the supply and the second contact being on the same side as the line;

- a compensation shunt reactance for compensating for the capacitive reactive power of said line,

said moment of closure being determined in the case of separation of the contacts of each pair of contacts,

said determination of said moment of closure being carried out using the following steps:

- measurement of the voltage between the contact on the line side and earth for each of the phases (5);
- measurement of the voltage between the contact on the supply side and earth for at least one phase (5);
- determination of the voltage between the contact on the supply side and earth for each of the phases (5),

said determination of said moment of closure being characterized in that it further includes the following steps:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/050137

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

- calculation, for two separate phases, called first and second phases, of the difference between the voltage between the contact on the line side and earth for said first phase and the voltage between the contact on the line side and earth for said second phase, the calculation being carried out for each pair of separate phases;
- calculation of the difference between the voltage between the contact on the supply side and earth for said first phase and the voltage between the contact on the supply side and earth for said second phase, the calculation being carried out for each pair of separate phases;
- determination of said moment of closure on the basis of said voltage differences.

Consequently, the subject matter of claim 1 differs from this known method in that:

the method is carried out in the presence of a fault on one of the three phases.

The problem that the present invention proposes to solve can therefore be considered as being how to provide a good method for determining said moment of closure in a case characterized by the existence of said voltage differences.

The solution proposed in claim 1 of the present

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/050137

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

application is not considered as inventive (PCT
Article 33(3)) for the following reasons:

The "in the presence of a fault on one of the three
phases" feature is only one of the possibilities
that a person skilled in the art could choose,
depending on the case in question, from among
several obvious possibilities for solving the
problem posed without involving an inventive step.

3. Dependent claims 4 and 5 contain no feature which,
when combined with those of any one of the claims to
which they refer, defines a subject matter that
satisfies the PCT requirements in respect of
inventive step.

4. The combination of the features of claim 2 or 3 does
not fall within the prior art and does not derive in
an obvious manner therefrom for the following
reasons:

There is no indication in the documents of the prior
art about comparing said voltage differences between
two sound phases on the line side and source side.

5. The present application satisfies the conditions
stipulated in PCT Article 33(4), the subject matter
of claims 1-5 being considered as capable of
industrial application.